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10 || Attorneys for Defendant AVAYA INC.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

15 2-WAY COMPUTING, INC., a Nevada
corporation,,

16 Plaintiff,

17 | v

18 || AVAYA INC a Delaware corporation

19 || Defendant

CASE NO.: 2:15-cv-02233-MMD-CWH

**STIPULATION AND PROPOSED ORDER
EXTENDING TIME FOR DEFENDANT
TO RESPOND TO COMPLAINT (DOC. #1)**

FIRST REQUEST

21 Plaintiff 2-WAY COMPUTING, INC. (“Plaintiff”), and Defendant AVAYA INC.,
22 (“Defendant”), by and through their undersigned counsel, hereby agree and stipulate as follows:

23 1. The current deadline for Defendant to respond or otherwise plead to the
24 Complaint (Doc. #1) is January 6, 2016.

25 2. The parties agree and stipulate that the deadline for Defendant to answer or
26 otherwise respond to Plaintiff's Complaint (Doc. #1) shall be extended by thirty (30) days,
27 February 5, 2016.

1 3. This is the first request for an extension of this deadline. This Stipulation is made
2 in good faith and not in an attempt to delay proceedings.

3 4. Nothing contained herein shall be deemed an admission or waiver of any right
4 belonging to any party hereto.

5 **IT IS SO STIPULATED:**

6 Dated this 29th day of December, 2015.

Dated this 29th day of December, 2015.

7
8 By: /s/ Mark Borghese
9 Mark Borghese, Esq.
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18 *Attorneys for Plaintiff*

19 By: /s/ Michael D. Rounds
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19 *Attorneys for Defendants*

18 **IT IS SO ORDERED:**

19 DATED December 30, 2015.

20
21 
22 UNITED STATES MAGISTRATE JUDGE

CERTIFICATE OF SERVICE

Pursuant to **FRCP 5(b)**, I certify that I am an employee of BROWNSTEIN HYATT FARBER SCHRECK, LLP, and on this 29th day of December, 2015, I served the document entitled **STIPULATION AND PROPOSED ORDER EXTENDING TIME FOR DEFENDANT TO RESPOND TO COMPLAINT (DOC. #1) FIRST REQUEST**, on the parties listed below via the following:

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VIA FIRST CLASS U.S. MAIL: by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Reno, Nevada for delivery to the foregoing.

VIA FACSIMILE: by transmitting to a facsimile machine maintained by the person on whom it is served at the facsimile machine telephone number as last given by that person on any document which he/she has filed in the cause and served on the party making the service. The copy of the document served by the facsimile transmission bears a notation of the date and place of transmission and the facsimile telephone number to which it was transmitted.

BY PERSONAL SERVICE: by personally hand-delivering or causing to be hand delivered by such designated individual whose particular duties include delivery of such on behalf of the firm, addressed to the individual(s) listed, signed by such individual or his/her representative accepting on his/her behalf.

VIA ELECTRONIC SERVICE: by electronically filing the document with the Clerk of the Court using the ECF system which served the foregoing parties electronically.

/s/ Nancy Lindsley

Employee of Brownstein Hyatt Farber Schreck, LLP